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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON VICINAGE**

DONALD J. TRUMP FOR
PRESIDENT, INC., REPUBLICAN
NATIONAL COMMITTEE, NEW
JERSEY REPUBLICAN STATE
COMMITTEE,

Plaintiffs,

v.

TAHESHA WAY, in her official
capacity as Secretary of State of New
Jersey,

Defendant.

Hon. Michael A. Shipp, U.S.D.J.

Civil Action No. 20-10753

CIVIL ACTION

(ELECTRONICALLY FILED)

**DECLARATION OF MATTHEW LYNCH, DEPUTY ATTORNEY
GENERAL, IN SUPPORT OF DEFENDANT'S OPPOSITION TO
PRELIMINARY INJUNCTION**

1. I am an attorney with the New Jersey Attorney General's Office and
counsel for the State Defendant in this case. I make this declaration from my

personal knowledge, including my review of the State's records and my familiarity with New Jersey Election Law. I am fully familiar with the facts and circumstances set forth below.

2. Attached here as Exhibit 1 is a true and accurate copy of the New Jersey Department of Health COVID-19 Dashboard, as of September 24, 2020.

3. Attached here as Exhibit 2 is a true and accurate copy of the CNN News article *200,000 People have died from COVID-19 in the US. That's more than the US battle deaths from 5 wars combined*, published on September 22, 2020.

4. Attached here as Exhibit 3 is a true and accurate copy of the Washington Post article *Experts Project Autumn Surge in Coronavirus Cases, With a Peak After Election Day*, published September 5, 2020.

5. Attached here as Exhibit 4 is a true and accurate copy of the publicly released May 29, 2020 letter from Thomas J. Marshall on behalf of the United States Postal Service.

6. Attached here as Exhibit 5 is a true and accurate copy of the U.S. Post Office letter to the Camden County Board of Elections.

7. Attached here as Exhibit 6 is a true and accurate copy of the publicly released July 30, 2020 letter from Thomas J. Marshall, on behalf of the United States Postal Service, to New Jersey Secretary of State, Tahesha Way.

8. Attached here as Exhibit 7 is a true and accurate copy of the U.S. Postal Service, Office of Inspector General Audit Report, *Processing Readiness of Election and Political Mail During the 2020 General Elections*, published August 31, 2020.

9. Attached here as Exhibit 8 is a true and accurate copy of the transcript of the Preliminary Injunction Hearing held on July 30, 2020 in *Gallagher v. N.Y.S. Board of Elections*, No. 20-05504, 2020 WL 4496849, *5 (S.D.N.Y. 2020).

10. Attached here as Exhibit 9 is a true and accurate copy of the U.S. Postal Service Postmaster General Briefing, dated August 12, 2020.

11. Attached here as Exhibit 10 is a true and accurate copy of the U.S. Postal Service August 31, 2020 letter and Congressional Briefing presentation.

12. Attached here as Exhibit 11 is a true and accurate copy of the U.S. Postal Service internal presentation, *AVP Telepresence*, U.S. POSTAL SERVICE, Jul. 10, 2020.

13. Attached here as Exhibit 12 is a true and accurate copy of the article posted by Jacob Bobage, *Internal USPS documents link changes behind mail slowdowns to top executives*, Wash. Post on September 24, 2020, 9:15 a.m.

14. Attached here as Exhibit 13 is a true and accurate copy of Gary Peters, *Failure to Deliver: harm caused by U.S. Postmaster General DeJoy's changes to Postal Service Mail Delivery*, Minority Staff Report.

15. Attached here as Exhibit 14 is a true and accurate copy of the U.S. Postal Service, Office of Inspector General Report, *Timeliness of Ballot Mail in the Milwaukee Processing & Distribution Center Service Area*, published July 7, 2020.

16. Attached here as Exhibit 15 is a true and accurate copy of the NJ.com news article, Brent Johnson, *What You Need to Know about N.J.'s Mostly Mail-In Ballot Elections, With All the Controversy*, N.J.com, Aug. 15, 2020.

17. Attached here as Exhibit 16 is a true and accurate copy of *Counting the Vote During the 2020 Election*, Tim Harper, Rachel Orey, and Collier Fernekes, Bipartisan Task Force on Elections, August 2020.

18. Attached as Exhibit 17 is a true and accurate copy of an NCSL article, *VOPP Table 16: When Absentee/Mail Ballot Processing and Counting Can Begin*, September 9, 2020.

19. Attached as Exhibit 18 is a true and accurate copy of letter from U.S. Senate Chairman Jerry Moran, dated August 24, 2020, to U.S. Postal Service Postmaster General Louis DeJoy.

20. Attached as Exhibit 19 is a true and accurate copy of article Path Forward appearing in U.S. Postal Service New Link on August 13, 2020, publishing an August 13, 2020 memo from Postmaster General Louis DeJoy to U.S. Postal Service employees.

I declare under penalty of perjury under the laws of the United States that
the foregoing is true and accurate.

Dated: September 25, 2020

S/Matthew Lynch
Matthew Lynch
Deputy Attorney General